

Docket No.: 564462003900
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kevin A. GRAY et al.

Application No.: 10/532,944

Confirmation No.: 2689

Filed: (Intl.) October 15, 2003

Art Unit: 1652

For: AMYLASES, NUCLEIC ACIDS ENCODING
THEM AND METHODS FOR MAKING AND
USING THEM

Examiner:
Ganapathiram Raghu, Ph.D.

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has an error in the Domestic Priority Section, listing a priority claim to a provisional incorrectly; this error is noted below:

Please change the Domestic Priority to read as follows:

This application is a 371 of PCT/US03/33150 10/15/2003

which claims benefit of --priority to USSN-- 60/423,626 10/31/2002

“and is a CIP of 60/423,625 10/31/2002”

Applicant submits herewith a copy of an Excerpt of the First Preliminary Amendment (Exhibit A), filed on June 21, 2006 and a copy of the Application Data Sheet (Exhibit B) filed on April 26, 2006. Both documents accurately state the priority claim for the present application.

sd-444062

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Dated: September 30, 2008

Respectfully submitted,

By /Gregory P. Einhorn/

Gregory P. Einhorn

Registration No.: 38,440

MORRISON & FOERSTER LLP

12531 High Bluff Drive, Suite 100

San Diego, California 92130-2040

(858) 720-5133 direct line

general office 858 720 5100

fax direct 858 523 5933

fax office 858 720 5125

email geinhorn@mofa.com



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/532,944	06/21/2006	1642	1390	564462003900	4	42	4

45975

DIVERSA C/O MOFO S.D.
 12531 HIGH BLUFF DRIVE
 SUITE 100
 SAN DIEGO, CA 92130-2040

CONFIRMATION NO. 2689

FILING RECEIPT



OC000000019659698

Date Mailed: 07/19/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kevin A. Gray, San Diego, CANADA;
 Nahla Aboushadi, Oceanside, CA;
 James B. Garrett, San Diego, CA;

Power of Attorney: The patent practitioners associated with Customer Number 45975.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/33150 10/15/2003
 which claims benefit of 60/423,626 10/31/2002 priority to USSN 60/423,626 10/31/2002
~~and is a CIP of 60/423,626 10/31/2002~~

Foreign Applications

If Required, Foreign Filing License Granted: 07/18/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/532,944**

Projected Publication Date: 10/26/2006

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Amylases, nucleic acids encoding them and methods for making and using them

Preliminary Class

435

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

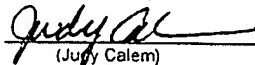
No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage via Express Mail, Airbill No.: EV 743 884 325 US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 21, 2006

Signature:


(Judy Calem)

Docket No.: 564462003900
D1530-9N
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kevin A. GRAY et al.

Application No.: 10/532,944

Confirmation No.: 2689

Int'l Filing Date: October 15, 2003

Art Unit: 1642

For: AMYLASES, NUCLEIC ACIDS ENCODING
THEM AND METHODS FOR MAKING AND
USING THEM

Examiner: Not Yet Assigned

MS-PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST PRELIMINARY AMENDMENT

Dear Sir:

Prior to examination on the merits, Applicant respectfully requests entry on this Preliminary Amendment for the above-captioned patent application.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 29 of this paper.

Amendment to the Specification:

COPY

Please amend the specification as follows.

Please add the following paragraph to page 1, line 3, after the title:

RELATED APPLICATIONS

This application is a national phase application claiming benefit of priority under 35 U.S.C. §371 to Patent Convention Treaty (PCT) International Application Serial No: PCT/US2003/033150, filed October 15, 2003 (published as WO 2004/042006, on May 21, 2004), which claims benefit of priority to U.S. Provisional Patent Application Serial No. ("USSN") 60/423,626, filed October 31, 2002. The aforementioned applications are explicitly incorporated herein by reference in their entirety and for all purposes.

Application Data Sheet**Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	Not Yet Assigned
CD-ROM or CD-R?::	None
Sequence submission?::	Yes
Computer Readable Form (CRF)?::	No
Title::	AMYLASES, NUCLEIC ACIDS ENCODING THEM AND METHODS FOR MAKING AND USING THEM
Attorney Docket Number::	564462003900
Request for Early Publication?::	No
Request for Non-Publication?::	No
Total Drawing Sheets::	4
Small Entity?::	Yes
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	Kevin
Middle Name::	A.
Family Name::	GRAY
City of Residence::	San Diego
State or Province of Residence::	CA
Country of Residence::	US
Street of mailing address::	12119 Eleanore Court
City of mailing address::	San Diego
State or Province of mailing address::	CA
Postal or Zip Code of mailing address::	92131-3807

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Egypt
Status::	Full Capacity
Given Name::	Nahla
Family Name::	ABOUSHADI
City of Residence::	Oceanside
State or Province of Residence::	CA
Country of Residence::	US
Street of mailing address::	442 Lexington Circle
City of mailing address::	Oceanside
State or Province of mailing address::	CA
Postal or Zip Code of mailing address::	92057

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	James
Middle Name::	B.
Family Name::	GARRETT
City of Residence::	San Diego
State or Province of Residence::	CA
Country of Residence::	US
Street of mailing address::	11379 Pajaro Way
City of mailing address::	San Diego
State or Province of mailing address::	CA
Postal or Zip Code of mailing address::	92127

Correspondence Information

Correspondence Customer Number::	45975
----------------------------------	-------

Representative Information

Representative Customer Number::	45975
----------------------------------	-------

COPY

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/US2003/0331 50	10/15/03
PCT/US2003/0331 50	An application claiming the benefit under 35 USC 119(e)	60/423,626	10/31/02

Foreign Priority Information

Assignee Information